

AO 91 (Rev. 11/11) Criminal Complaint

FILED

FEB 07 2019

AT _____ O'CLOCK
John M. Domurad, Clerk - Plattsburgh**UNITED STATES DISTRICT COURT**

for the

Northern District of New York

UNITED STATES OF AMERICA

v.

Fabio Alexandre DE SOUSA BARBOSA

Case No. 8:19-MJ-58 (GLF)

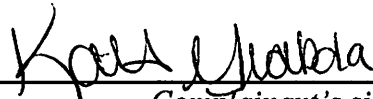
Defendant**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 18, 2018 in the county of Clinton in the Northern District of New York the defendant violated:

Code Section
18 U.S.C. § 1001*Offense Description*
Knowingly and willfully make materially false verbal statements to a United States Border Patrol Agent

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

Complainant's signature

Katherine Graber

, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: Feb. 7, 2019

Judge's signature

City and State: Plattsburgh, New York

Hon. Gary L. Favro, U.S. Magistrate Judge

Printed name and title

United States of America v. Fabio Alexandre DE SOUSA BARBOSA

On November 18th, 2018, at approximately 3:30 AM, Royal Canadian Mounted Police notified Champlain Border Patrol of suspicious activity on Blackman Corners Road in Mooers, NY. Blackman Corners Road is a north/south road that dead ends and terminates approximately 50 yards south of the US/Canadian border. This road is frequently used by people to illegally enter the United States by avoiding inspection at a Port of Entry. The nearest open POE is 2.5 miles to the east.

SBPA Hood responded to the area and encountered a vehicle with NJ license plates. He found this vehicle with out of state plates, time of early morning, 15 years' experience, and the call from RCMP to be suspicious. He performed an emergency stop on the vehicle. SBPA identified himself as a Border Patrol agent and questioned the 4 occupants individually as to their status in the United States. One of the subjects, the front seat passenger, told SBPA Hood that his name was Glauber FERREIRA, and his DOB was X/X/95. He stated that he was born in Brazil but was a lawful permanent resident in the United States. He stated that he was not in possession of his green card.

All subjects were transported to the Border Patrol station for processing and further questioning. At the station the person who called himself FERREIRA, 's biometrics were entered into IDENT and searched in the Automated Fingerprint Identification System (AFIS). In addition his name was queried in several databases, both criminal and immigration. Fingerprint checks revealed that the person who called himself FERREIRA's true name was Fabio Alexandre DE SOUSA BARBOSA, DOB X/XX/95. It was revealed that DE SOUSA BARBOSA was born in Portugal and was a citizen and national of Portugal. He had criminal arrests in the United States. Records show no evidence that the defendant applied for or received US Lawful Permanent Resident status to date. DE SOUSA BARBOSA does not possess any documents allowing him to be or remain in the United States legally. When questioned as to why he gave a false name and date of birth, DE SOUSA BARBOSA claimed that one of the smugglers told him to give a fake name to Border Patrol Agents. Records show that the name, DOB, and immigration status provided by the defendant as his actually correspond to a real person.

During a search of the defendant, a Portuguese passport in the name of Fabio Alexandre DE SOUSA BARBOSA was discovered inside DE SOUSA BARBOSA's pants.

The defendant admitted under oath that his true and correct name is Fabio Alexandre DE SOUSA BARBOSA, not FERREIRA, and his date of birth is X/XX/1995, not the date of X/X/1995. Furthermore, he stated that he is a citizen of Portugal and not Brazil.